

Neifeld Docket No: CAT/29US-SCROCO

Application/Patent No: 09/401,939

USPTO CONFIRMATION NO: 5333

File/Issue Date: 9/23/1999

Inventor/title: Scroggie/System and Method for Providing Shopping Aids and Incentives to Customers Through a Computer Network

Examiner/ArtUnit: Janvier/3688

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

REMARKS

Sir:

In response to and in an effort to avoid the issues raised in the requirements in the notice of non-compliant appeal brief mailed April 21, 2008, the appellant has revised the status of claims 1-31 in Section III, updated the related appeals and interferences in Section II, and deleted limitation previously numbered (5) and renumbered the limitations accordingly, in Section V.

The applicant is also concurrently filing a petition titled "37 CFR 1.181 PETITION TO WITHDRAW THE NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF DATED APRIL 21, 2008".

Since the BPAI will Order the examining corps to enter a decision on that petition *prior to considering the appeal*, the examiner is urged to obtain a decision on the petition promptly, in order to expedite a final decision on the merits. The examiner can moot the petition by withdrawing the Notice and considering the appeal based upon the prior filed brief.

5-1-2008

DATE

Respectfully Submitted,

/RichardNeifeld#35,299/

Richard Neifeld

Attorney of Record

Registration No. 35,299